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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,614	10/17/2003	Susumu Akiyama	11-198	8935

23400 7590 05/31/2005

POSZ LAW GROUP, PLC
12040 SOUTH LAKES DRIVE
SUITE 101
RESTON, VA 20191

EXAMINER

LOUIS JACQUES, JACQUES H

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 05/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/686,614	Applicant(s) AKIYAMA ET AL.	
	Examiner Jacques H Louis-Jacques	Art Unit 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2003.
 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-5 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10172003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Tashiro et al [6,810,314].

Tashiro et al '314 discloses an integrated control system for vehicle comprising a plurality of electronic control apparatuses (e.g., 6, 7, 8, 10) connected via at least one communication line (L) to communicate with each other for controlling specific functions of a vehicle (figure 1). According to Tashiro et al '314, one of the plurality of electronic control apparatuses (i.e., a particular one) functions as an overall control apparatus for transmitting operation directives to other electronic control apparatuses, each functioning as an individual control apparatus, to cause respective individual control apparatuses to operate according to the operation directives, thereby realizing a collective (i.e., overall) control of the specific functions (abstract, columns 4 and 6), and the overall control apparatus determines the operation directives supplied to the individual control apparatuses based on information obtained via the communication line from the individual control apparatuses, and executes abnormality detection processing for detecting abnormality occurring in the integrated vehicle control system (columns 6, 8-9

and 14). According further to Tashiro et al '314, the overall control apparatus obtains condition data from the individual control apparatuses, the condition data representing operating conditions of control objective devices controlled based on the operation directives by the individual control apparatuses, and the overall control apparatus executes the abnormality detection processing by detecting abnormality based on the obtained condition data and identifying an abnormal portion (columns 5-6 and 8).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tashiro et al [6,810,314] in view of Millsap et al [6,484,082].

Tashiro et al '314 discloses the limitations as set forth above. However, Tashiro et al '314 does not particularly teach that the electronic control apparatus are connected via a plurality of networks. Millsap et al, on the other hand, discloses an in-vehicle network management using virtual networks to control activation of electronic control units networked together throughout the vehicle. According to Millsap et al, there is provided a plurality of networks connecting a plurality of electronic control apparatuses (electronic control units (ECUs)) via a plurality of lines to communicate with each other, each communication network being provided for one or a plurality of functions of a vehicle

(columns 1 and 2). According to Millsap et al, one electronic control apparatus (ECU) connected to each of the plurality of communication lines of the plurality of networks is a vehicle overall control apparatus for transmitting operation directives to other electronic control apparatuses (abstract, figure 1, column 1). According further to Millsap et al, each of the ECUs functions as an individual control apparatus of each network, to cause respective individual control apparatuses to operate according to the operation directives (columns 2 and 3), thereby realizing a collective control of the functions of each network. Additionally, Millsap et al discloses that the vehicle overall control apparatus executes gateway processing by selecting information necessary for other network from information received via said communication lines and transmitting the selected information via a communication line of a corresponding network (columns 3, 6), thereby allowing mutual exchange of information between individual control apparatuses of different networks (columns 5 and 6). Thus, it would have been obvious to one skilled in the art at the time of the invention to be motivated to modify the integrated control system for vehicle of Tashiro et al by incorporating the features from the in-vehicle network management using virtual networks of Millsap et al because such modification would improve the reliability of the network system, while dispersing or reducing the risk of system failure.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 3661

5,053,964	Mister et al	Oct. 1991
6,052,632	Iihoshi et al	Apr. 2000
6,553,297	Tashiro et al	Apr. 2003
6,654,648	Nada et al	Nov. 2003
6,859,708	Hashimoto et al	Feb. 2005
6,892,126	Tashiro et al	May 2005
US 20040064220	Kobayashi	Apr. 2004

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques H Louis-Jacques whose telephone number is 571-272-6962. The examiner can normally be reached on M-Th 5:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on 571-272-6956. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jacques H Louis-Jacques
Primary Examiner
Art Unit 3661

/jlj

Jacques H. Louis-Jacques
JACQUES H. LOUIS-JACQUES
PRIMARY EXAMINER